

City Council Minutes

The Round Rock City Council met in Regular Session on Thursday, February 24, 2005, in the City Council Chamber, 221 E. Main Street.

CALL REGULAR SESSION TO ORDER - 7:00 P.M.

Mayor Pro-tem McGraw called the regular session to order and chaired the meeting until Mayor Maxwell's arrival, which occurred during Citizens Communication.

PLEDGE OF ALLEGIANCE

Mayor Pro-tem McGraw led the Pledge of Allegiance.

ROLL CALL: Those members present were Mayor Nyle Maxwell, Mayor Pro-tem Alan McGraw, Councilmember Joe Clifford, Councilmember Scot Knight, Councilmember Scott Rhode and Councilmember Gary Coe. Councilmember Tom Nielson was absent. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

Mayor Pro-tem McGraw dispensed with the order of the agenda with the unanimous consent of all the Councilmember present and addressed the following item.

PROCLAMATIONS:

5.A. Consider proclaiming the week of February 21-27, 2005 as Sertoma Freedom Week.

Mayor Pro-tem McGraw read the following proclamation and presented it to representatives of Round Rock Sertoma.

WHEREAS, we believe that man was endowed by his Creator with certain inalienable rights, and

WHEREAS, we believe among those rights is that of Freedom, and

WHEREAS, Sertoma International, a Civic Organization with the Motto "Service to Mankind" has adopted an annual "Freedom Week" during National Heritage Month dedicated to the reaffirmation of the values and responsibilities of man in a free Society, and

WHEREAS, the Sertoma Club of Round Rock plans to carry out special Bill of Rights activities at many Round Rock Independent School District elementary schools during Freedom Week; and

WHEREAS, it seems proper and fitting to accord official recognition to this patriotic movement,

NOW, THEREFORE, We, the Round Rock City Council by virtue of the authority vested upon us as Mayor and Council members of the City of Round Rock, Texas, do hereby proclaim and designate the week of February 21 through February 27, 2005 as

"SERTOMA FREEDOM WEEK"

in the City of Round Rock and urge all citizens to support the objective of this week. PROCLAIMED this 24th day of February 2005.

CITIZENS COMMUNICATIONS:

Steve Kays, Chairman of the Round Rock Mayor's Fitness Council, announced that their "First Step to Fitness" event would be held on March 5, 2005 at the Dell Diamond from 9:00 a.m. to 3:00 p.m. The event begins at 8:00 a.m. with a 30-minute walk.

Alicia Carlile & Jesus Franco, Round Rock Senior Citizens Foundation, announced that the 10th annual Daffodil Festival will be held on Saturday, March 19, 2005.

Efrain Davila, Val Valesquez, and Gordon Perez, members of El Amistad Club, announced that their annual Fiesta Amistad will be held May 28-30, 2005.

The following individuals expressed their support for the Southwest Downtown Plan.

Peggie Fink, 201 W. Bagdad

Nelson Nagle, 400 W. Main Street

John Moman, 1701 Johnson Way

The following individuals who live in the Meadows at Chandler Creek, which is, located outside the city limits but in the City's extra-territorial jurisdiction expressed their concern regarding the quality of the builder for KB Homes and how KB Homes are financed.

David Ross, 1330 Water Spaniel Way

Rana Aljibouri, 1204 Water Spaniel Way

Natalie Shanks, 1109 Terrier Cove

Kimberly Leto, 1208 Champion Drive

CONSENT AGENDA:

The following items were considered routine by the City Council and were enacted by one motion with no discussion. Item 8A7 was removed from the consent agenda and addressed in its normal sequence of the agenda.

*7.A. Consider approval of the City Council minutes for February 10, 2005 and December 2, 2004.

*8.A.1. Consider an ordinance authorizing the placement of stop signs at various intersections in the Lake Forest III, Village III Subdivision. (Second Reading)

*8.A.2. Consider an ordinance authorizing the placement of stop signs at various intersections in the Village at Mayfield Ranch Subdivision, Phase III. (Second Reading)

*8.A.3. Consider an ordinance authorizing the placement of stop signs at various intersections in the Rainbow Parke Subdivision. (Second Reading)

*8.A.4. Consider an ordinance authorizing the placement of stop signs at various intersections in the Sandy Brook Subdivision, Section 6. (Second Reading)

*8.A.5. Consider an ordinance authorizing the placement of stop signs at various intersections in the Sonoma Subdivision, Sections 11 & 12. (First Reading)

*8.A.6. Consider an ordinance authorizing the replacement of yield signs with stop signs at various downtown streets. (First Reading)

*8.A.7. Consider an ordinance to place "15 Minute Parking" signs on Main Street at the southwest corner of its intersection with Lampasas Street for a distance of 20 feet, and to remove two existing fifteen minute parking zones. (First Reading)
This item was addressed in its normal sequence of the agenda.

*8.B.1. Consider an ordinance amending Chapter 1, Code of Ordinances, (1995 Edition) to add Section 1.3400, Special Events. (Second Reading)

*8.B.2. Consider an ordinance amending Chapter 1, Code of Ordinances (1995 Edition) to add Section 1.3500, Blockparties. (Second Reading)

*8.B.3. Consider an ordinance amending Chapter 1, Code of Ordinances (1995 Edition) to add Section 1.3600, Parades. (Second Reading)

*8.C.3. Consider an ordinance concerning an exception to Chapter 10, Section 10.204, Code of Ordinances, for Water and Wastewater Impact fees for Sonoma Subdivision, Section 12.

*9.A.1. Consider a resolution authorizing a property tax refund to Conn's Electronic Co. for 2003 in the amount of \$707.15.

*9.C.2. Consider a resolution authorizing the Mayor to execute an Agreement for the Temporary Closure of State Right-of-Way, U.S. 79, with the Texas Department of Transportation for the annual Texas Road Rash Inline Skating Marathon.

*9.D.2. Consider a resolution authorizing the Mayor to execute an Election Services Contract with the Williamson County Elections Administrator and the Round Rock Independent School District to conduct the May 7, 2005 Election.

*9.E.1. Consider a resolution authorizing the closing of Harrell Parkway, Aten Loop and a portion of CR 113 on March 12, 2005 for the annual Three-Legged Willie 13-K Run.

*9.E.2. Consider a resolution authorizing the closing of a portion of Bagdad Avenue on March 19, 2005 for the annual Daffodil Festival.

*9.E.3. Consider a resolution authorizing the closing of a portion of Main Street, Lampasas Street, and Sheppard Street from May 28, 2005 through May 30, 2005 for the annual El Amistad Fiesta.

*9.E.4. Consider a resolution authorizing the closing of portions of Harrell Parkway, Aten Loop, T.C. Oates Lane on March 20, 2005 for the annual Texas Road Rash Inline Skating Marathon.

*9.E.5. Consider a resolution authorizing the closing of a portion of Main Street on February 26, 2005 for the annual Opening Day Parade for the Sam Bass of Round Rock Youth Baseball League.

MOTION: Councilmember Rhode moved to approve all the items on the consent agenda. Councilmember Knight seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw Councilmember Clifford Councilmember Knight Councilmember Rhode Councilmember Coe Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Nielson
<u>ACTION:</u> The motion carried unanimously.		

MOTION: Mayor Pro-tem McGraw moved to dispense with the second reading of the ordinance for Item 8C3 with the unanimous consent of all the Councilmembers present and adopt the ordinance. Councilmember Coe seconded the motion.

VOTE: Ayes: Mayor Pro-tem McGraw
 Councilmember Clifford
 Councilmember Knight
 Councilmember Rhode
 Councilmember Coe
 Mayor Maxwell
 Nays: None
 Absent: Councilmember Nielson
ACTION: The motion carried unanimously.

APPROVAL OF MINUTES:

*7.A. Consider approval of the City Council minutes for February 10, 2005 and December 2, 2004. This item was approved under the consent agenda.

ORDINANCES:

*8.A.1. Consider an ordinance authorizing the placement of stop signs at various intersections in the Lake Forest III, Village III Subdivision. (Second Reading)
This item was approved under the consent agenda. Stop signs will be placed on Timber Creek Cove at Collingwood Drive, on Cliffside Cove at Collingwood Drive, on Tofino Cove at Collingwood Drive.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TRAFFIC CODE BY DESIGNATING THE FOLLOWING INTERSECTIONS IN THE LAKE FOREST III, VILLAGE III SUBDIVISION AS STOP INTERSECTIONS: TIMBER CREEK COVE AT COLLINGWOOD DRIVE, CLIFFSIDE COVE AT COLLINGWOOD DRIVE, AND TOFINO COVE AT COLLINGWOOD DRIVE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*8.A.2. Consider an ordinance authorizing the placement of stop signs at various intersections in the Village at Mayfield Ranch Subdivision, Phase III. (Second Reading) This item was approved under the consent agenda. Stop signs will be placed on Shell Castle

Lane at Pine Needle Circle, on Shell Castle Lane at Dolomite Trail, and on Dolomite Trail at Pine Needle Circle.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TRAFFIC CODE BY DESIGNATING THE FOLLOWING INTERSECTIONS IN THE VILLAGE AT MAYFIELD RANCH SUBDIVISION, PHASE III AS STOP INTERSECTIONS: SHELL CASTLE LANE AT PINE NEEDLE CIRCLE, SHELL CASTLE LANE AT DOLOMITE TRAIL, AND DOLOMITE TRAIL AT PINE NEEDLE CIRCLE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*8.A.3. Consider an ordinance authorizing the placement of stop signs at various intersections in the Rainbow Parke Subdivision. (Second Reading) This item was approved under the consent agenda. Stop signs will be placed on Mickey Mantle Place at CR 122, on Rainbow Cove at Rainbow Parke Drive, on Rainbow Parke Drive at Alexandria Way, on Alexandria Way at Rainbow Parke Drive, on Alexandria Way at Mickey Mantle Place, on Rainbow Parke Drive (Northbound) at Mickey Mantle Place, and on Rainbow Parke Drive (Southbound) at Mickey Mantle Place (east and west locations)

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TRAFFIC CODE BY DESIGNATING THE FOLLOWING INTERSECTIONS IN THE RAINBOW PARKE SUBDIVISION AS STOP INTERSECTIONS: MICKEY MANTLE PLACE AT CR 122, RAINBOW COVE AT RAINBOW PARKE DRIVE, RAINBOW PARKE DRIVE AT ALEXANDRIA WAY, ALEXANDRIA WAY AT RAINBOW PARKE DRIVE, ALEXANDRIA WAY AT MICKEY MANTLE PLACE, AND RAINBOW PARKE DRIVE AT MICKEY MANTLE PLACE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*8.A.4. Consider an ordinance authorizing the placement of stop signs at various intersections in the Sandy Brook Subdivision, Section 6. (Second Reading)

This item was approved under the consent agenda. Stop signs will be placed on

North Haynie Bend at Sandy Brook Drive, on South Haynie Bend at Sandy Brook Drive, and on Holden Drive at Haynie Bend.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TRAFFIC CODE BY DESIGNATING THE FOLLOWING INTERSECTIONS IN THE SANDY BROOK SUBDIVISION, SECTION 6 AS STOP INTERSECTIONS: HAYNIE BEND AT SANDY BROOK DRIVE, AND HOLDEN DRIVE AT HAYNIE BEND; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*8.A.5. Consider an ordinance authorizing the placement of stop signs at various intersections in the Sonoma Subdivision, Sections 11 & 12.

(First Reading) This item was approved under the consent agenda. Stop signs will be placed on Rosemount Cove at Rosemount Dr., on Vinwood Cove at Rosemount Dr., and on Ravenwood Dr. at Rusk Road.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TRAFFIC CODE BY DESIGNATING THE FOLLOWING INTERSECTIONS IN THE SONOMA SUBDIVISION, SECTIONS 11 AND 12 AS STOP INTERSECTIONS: ROSEMOUNT COVE AT ROSEMOUNT DRIVE, VINWOOD COVE AT ROSEMOUNT DRIVE, AND RAVENWOOD DRIVE AT RUSK ROAD; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*8.A.6. Consider an ordinance authorizing the replacement of yield signs with stop signs at various downtown streets. (First Reading) This item was approved under the consent agenda. Yield signs will be replaced with stop signs on South Sheppard Street at East Bagdad Avenue, South Lampasas Street at East Bagdad Avenue, and North Lampasas Street (north and southbound) at East Liberty Avenue.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TRAFFIC CODE BY REPLACING YIELD SIGNS WITH STOP SIGNS AT THE INTERSECTIONS OF SHEPPARD STREET AT BAGDAD AVENUE, LAMPASAS STREET AT BAGDAD AVENUE, AND LAMPASAS STREET AT LIBERTY AVENUE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*8.A.7. Consider an ordinance to place "15 Minute Parking" signs on Main Street at the southwest corner of its intersection with Lampasas Street for a distance of 20 feet, and to remove two existing fifteen minute parking zones. (First Reading)

This item was removed from the consent agenda and addressed by Tom Martin, Transportation Services Director. These signs will allow designation of two parking spaces for limited time use to promote commerce of downtown businesses. The City Manager received a request from the owner of the Kelley Cleaners regarding the need for limited time parking adjacent to their business to allow customers to pickup and drop off cleaning. Based on the review of the owner's concern and existing parking patterns in the downtown area, staff recommended establishment of the two parking spaces adjacent to Kelley Cleaners for 15-minute use.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.1817, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, TO ESTABLISH A FIFTEEN MINUTE PARKING ZONE ON A PORTION OF EAST MAIN STREET, AND TO REMOVE TWO EXISTING FIFTEEN MINUTE PARKING ZONES; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Knight moved to adopt the ordinance.

Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Knight
		Councilmember Rhode
		Councilmember Coe
	Nays:	Mayor Maxwell
	Absent:	Councilmember Nielson

ACTION: The motion carried unanimously.

*8.B.1. Consider an ordinance amending Chapter 1, Code of Ordinances, (1995 Edition) to add Section 1.3400, Special Events. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 1, ADDING SECTION 1.3400 REGARDING SPECIAL EVENTS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*8.B.2. Consider an ordinance amending Chapter 1, Code of Ordinances (1995 Edition) to add Section 1.3500, Blockparties. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 1, ADDING SECTION 1.3500 REGARDING BLOCKPARTIES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*8.B.3. Consider an ordinance amending Chapter 1, Code of Ordinances (1995 Edition) to add Section 1.3600, Parades. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 1, ADDING SECTION 1.3600 REGARDING PARADES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

8.B.4. Consider an ordinance amending Chapter 3, Section 3.1412, Code of ordinances (1995 Edition) regarding the regulation of outdoor signs in the City's extraterritorial jurisdiction. (First Reading) Steve Sheets, City Attorney made the staff presentation. The City's current sign regulations are enforced in the City's entire

extraterritorial jurisdiction (ETJ) including all the Municipal Utility Districts (MUD's). Last year the owners of the Mansions on the Green apartments located in Brushy Creek MUD filed a lawsuit challenging the City's authority to regulate their signs in the City's ETJ. This ordinance would amend Section 3.1412 so that the sign regulations would not be enforced in the Brushy Creek MUD, except for that portion that is within 150' of the public right-of-way of RM 620. If the ordinance is adopted, the owners of the Mansions on the Green would dismiss their lawsuit against the City.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 3, SECTION 3.1412 REGARDING THE REGULATION OF OUTDOOR SIGNS IN THE CITY'S EXTRATERRITORIAL JURISDICTION; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Clifford moved to adopt the ordinance. Mayor Pro-tem McGraw seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Knight
		Councilmember Rhode
		Councilmember Coe
	Nays:	Mayor Maxwell
	Absent:	Councilmember Nielson

ACTION: The motion carried unanimously.

8.C.1. Consider an ordinance adopting the Southwest Downtown Plan. (First Reading) Mayor Pro-tem McGraw disclosed that he does not own property in this area but has a business dealing with one of the properties that abut the area of the Southwest Downtown Plan and will abstain from discussion and vote on this item.

Councilmember Clifford disclosed that he owns property in the area of the Southwest Downtown Plan and will abstain from discussion and vote on this item.

Joe Vining, Executive Director of Community Development made the staff presentation. The Southwest Downtown Plan is a proposed amendment to the General Plan. It presents recommendations to revitalize and enhance the Southwest Downtown area of Round Rock. This area is bounded by IH-35 to the West, Round Rock Avenue to the North, Mays Street to the East, McNeil Road to the Southeast, and Lake Creek to the Southwest. With the construction of the Municipal Office Complex and plans for street improvements and utility upgrades, the Plan Area is changing significantly. In addition, many of the once single-family residences have been converted into offices.

The Southwest Downtown Plan seeks to accommodate change in the area while:

- Incorporating public input in the planning process
- Revitalizing the district's infrastructure, including streets, curbs, sidewalks, utilities and drainage
- Accommodating existing single-family residences by examining the compatibility of land uses
- Providing for new uses and for the redevelopment of existing buildings
- Increasing public and private parking
- Protecting and enhancing the special character of the area
- Creating a pedestrian friendly environment

Elements of the Southwest Downtown Plan include:

- *Public Participation*
- Proposed Mixed-Use Zoning District
- Streets & Infrastructure
- Parking
- Design
- Recommendations & Implementation

Proposed Mixed-Use (MU-1) Zoning District:

- New zoning district to promote a mixture of residential & commercial uses
- Relaxed setbacks & parking standards
- Compatibility standards to protect existing single-family residences

Streets & Infrastructure:

- 347 on-street parking spaces
- Curbs and sidewalks
- Street trees
- Utilities and drainage
- Proposed street layout changes
 1. Extend Main Street to IH-35 frontage road.
 2. Redesign Round Rock Avenue- Liberty-Mays Intersections.
 3. Extend Harris Street north to intersect with Round Rock Avenue.

Components of Parking Plan:

- Create on-street parking.
- Provide on-site parking for the Municipal Office Complex.
- Residential uses provide parking on-site.
- Adopt new parking requirements:
 1. Credit for existing building footprint's parking requirement
 2. 1:200 for restaurants
 3. 1:400 for all other non-residential uses
- Locate public parking lots.

Design – Civic and Building:

- Ensure compatibility between uses and for existing single-family residences through building design standards.
- Keep buildings to a "residential scale".
- Preserve large trees.
- Create a pedestrian-friendly environment.
- Provide recommendations for design that can be incorporated into an ordinance.

Implementation:

- Adoption of the Southwest Downtown Plan as an amendment to the General Plan.

- Adoption of a mixed-use zoning district – Spring 2005.
- Revise historic sign ordinance.
- Implement parking plan policies.
- Identify & determine policies concerning preservation of “heritage” trees in the Plan Area.
- Implement the street improvement plan.

The planning process began with a survey of neighborhood residents, property owners, and business owners, which formed the basis for topics selected for discussion in eleven neighborhood workshops held from June 2003 through September 2004. The process culminated with an open house to present a draft of the Southwest Downtown Plan to the neighborhood in November 2004. The Plan was recommended by the Planning and Zoning Commission for adoption by the City Council at their January 2005 meeting. No members of the public spoke against the Plan at the Planning and Zoning Commission meeting on January 12, 2005 or at the Council meeting on February 10, 2005. Staff recommended adoption of the plan.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE SOUTHWEST DOWNTOWN PLAN PURSUANT TO THE GENERAL PLAN OF THE CITY OF ROUND ROCK, TEXAS, CODIFIED UNDER SECTION 11.107, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Rhode moved to adopt the ordinance.

Councilmember Coe seconded the motion.

VOTE: Ayes: Councilmember Knight
 Councilmember Rhode
 Councilmember Coe
 Mayor Maxwell
 Nays: None
 Abstained: Mayor Pro-tem McGraw
 Councilmember Clifford
 Absent: Councilmember Nielson

ACTION: The motion carried with 4 ayes and 2 abstentions.

MOTION: Councilmember Coe moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Rhode seconded the motion.

VOTE: Ayes: Councilmember Knight
 Councilmember Rhode
 Councilmember Coe
 Mayor Maxwell
 Nays: None
 Abstained: Mayor Pro-tem McGraw
 Councilmember Clifford
 Absent: Councilmember Nielson

ACTION: The motion carried with 4 ayes and two abstentions.

8.C.2. Consider an ordinance approving a variance for Conan's Pizza to permit the sale of alcoholic beverages. (First Reading) Susan Brennan, Principal Planner made the staff presentation. Conan's Pizza is seeking a variance to permit the sale of wine and beer at its location at 1205 Round Rock Avenue. City Ordinance requires a minimum 300-foot separation between the property line of a school and the front door of an establishment serving alcoholic beverages. This location was previously occupied by Pizza Hut, which sold beer and wine. The distance from the Round Rock High School property line and the front door of Conan's Pizza is approximately 139 feet.

Beer and wine is sold at the following locations within 300 feet of the school property.

- Convenience store, 118 feet west of school
- Convenience store, 237 feet north of school

Hao Hao's Restaurant, located 290 feet east of the entrance to Conan's Pizza, does not sell wine or beer.

In response to Council's question, representatives of Conan's Pizza said that they have been in the current location for about two years.

The Council expressed their concern of alcoholic beverages being sold in such close proximity to the high school especially since the other food establishments in the same retail center do not sell alcoholic beverages.

ORDINANCE NO. _____

AN ORDINANCE GRANTING A VARIANCE TO THE PROVISIONS OF CHAPTER 1, SUBSECTION 1.803(4) CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES AT A LOCATION WITHIN 300 FEET OF A CHURCH, PUBLIC SCHOOL OR PUBLIC HOSPITAL; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

The following motion was made so the Council could discuss this item.

MOTION: Mayor Pro-tem McGraw moved to adopt the ordinance. Councilmember Knight seconded the motion.

The Council expressed concerns about the sale of alcoholic beverage so close to the school and why the owner decided two years later that they wanted to sell alcoholic beverages.

Following is the vote for the motion.

VOTE: Ayes: None

Nays: Mayor Pro-tem McGraw
 Councilmember Clifford
 Councilmember Knight
 Councilmember Rhode
 Councilmember Coe
 Mayor Maxwell

Absent: Councilmember Nielson

ACTION: The motion failed.

*8.C.3. Consider an ordinance concerning an exception to Chapter 10.

Section 10.204, Code of Ordinances (1995 Edition) for Water and Wastewater Impact fees for Sonoma Subdivision, Section 12. (First Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE GRANTING AN EXCEPTION TO CHAPTER 10, SECTION 10.204, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS FOR IMPACT FEES FOR CERTAIN PROPERTY LOCATED WITHIN THE CITY LIMITS OF ROUND ROCK, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

RESOLUTIONS:

*9.A.1. Consider a resolution authorizing a property tax refund

to Conn's Electronic Co. for 2003 taxes in the amount of \$707.15. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock is mandated by V.T.C.A., Tax Code §31.11 to refund, upon taxpayer application to the tax collector of its taxing unit and upon verification by the auditor of its taxing unit, any overpayment or erroneous payment of taxes; and

WHEREAS, if such amount exceeds \$500.00, then the governing body of the taxing unit must also determine that the payment was erroneous or excessive and must approve the refund, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the following named taxpayer, Conn's Electronic Co. has made an overpayment or erroneous payment of 2003 taxes in the amount of \$707.15; that such amount is in excess of \$500.00; that such overpayment or erroneous payment has been verified by the Tax Collector; and that application for refund has been made to the Tax Collector by said taxpayers.

The Council further finds and makes a determination that the payment was erroneous or excessive; and further approves such refund in the amount of \$707.15.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

9.A.2. Consider a resolution approving the issuance of
\$1,300,000 Combination Unlimited Tax and Revenue Refunding Bonds,
Series 2005 by the Meadows of Chandler Creek Municipal Utility
District. David Kautz, Assistant City Manager/Chief Financial Officer made the staff presentation. The District is in the extraterritorial jurisdiction (ETJ) of the City of Round Rock and, therefore, the City's approval is required prior to the sale of bonds. The District has 1,416 active single-family connections with an estimated District population of approximately of 5,100. The District is selling \$1,300,000 principal

amount of refunding bonds. The bond proceeds will be used to restructure the District's annual debt service expense and achieve debt service savings for the District. Although the District does have authorized but un-issued bonds, at this time the district does not expect to sell any additional bonds for capital improvements. Texas Commission of Environmental Quality approval is not required as these are refunding bonds. These bonds are an obligation of the District and not the City of Round Rock. No adverse impact is anticipated on the District's tax or utility rates.

RESOLUTION NO. _____

WHEREAS, the Council of the City of Round Rock, Texas, has previously consented to the creation of The Meadows at Chandler Creek Municipal Utility District, and

WHEREAS, The Meadows at Chandler Creek Municipal Utility District (the "District") is a conservation and reclamation district, a body corporate and politic and governmental agency of the State of Texas, created under Article XVI, Sec. 59 of the Texas Constitution by order of the Texas Water Commission, now the Texas Commission on Environmental Quality ("the TCEQ"), and the District operates under Chapters 49 and 54 of the Texas Water Code, as amended, and

WHEREAS, the City of Round Rock previously granted its consent to the creation of the District, and the City, the District and Nash Phillips/Copus, Inc. entered into an "Agreement Concerning Creation and Operation of The Meadows at Chandler Creek Municipal Utility District" (the "Consent Agreement"), which sets forth the terms and conditions for creation and operation of the District, and

WHEREAS, the District issued its Combination Unlimited Tax and Revenue Refunding Bonds, Series 1999, dated July 1, 1999, in the original aggregate principal amount of \$1,410,000 (the "1999 Bonds"), of which an aggregate principal amount of \$1,300,000 remains outstanding, and

WHEREAS, the District proposes to issue bonds (the "Series 2005 Bonds") to refund all of the remaining outstanding 1999 Bonds in

order to provide for a gross debt service savings and net present value savings, and

WHEREAS, the Consent Agreement provides that the issuance of bonds be approved by the City Council of the City of Round Rock, Texas, and

WHEREAS, the District has submitted to the City for review and approved a substantial draft of the 2005 Bond Order and requested approval of the District's Series 2005 Bonds, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS THAT,

1. The issuance by the District of the Series 2005 Bonds in an amount not to exceed \$1,300,000 is hereby approved.

2. The City Council approves the substantial draft of the 2005 Bond Order and Preliminary Official Statement for the Series 2005 Bonds, the form and substance of which are attached as Exhibit "A", which is incorporated by reference hereto.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February 2005.

MOTION: Mayor Pro-tem McGraw moved to approve the resolution. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Knight
		Councilmember Rhode
		Councilmember Coe
		Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Nielson

ACTION: The motion carried unanimously.

9.B.1. Consider a resolution authorizing the Mayor to execute an amended Advance Funding Agreement with the Texas Department of Transportation for the I-35 area Improvements – Chandler Road to

Westinghouse Road. Tom Martin, Transportation Director made the staff presentation. In order for the City to formalize the agreement with The Texas Department of Transportation (TxDOT) concerning the additional work requested, it is necessary that the previously executed Advance Funding Agreement (AFA) of October 26, 2004 be amended to reflect the new commitments by TxDOT. The original AFA was for the construction of a turnaround structure at Chandler Road, widening of the northbound frontage road from Chandler Road to the north boundary of the Simon/Chelsea Property, reversing of the exit and entrance ramps at Chandler Road as well as other required improvements. The additional work includes the construction of a northbound to southbound turnaround structure at Westinghouse Road, widening of the Chandler Road Bridge over IH-35 to include turn lanes both eastbound and westbound and extending the widening of the northbound frontage road from the Simon-Chelsea Property Line to Westinghouse Road. Funding for this project is as follows:

Total Cost	-	\$9,500,000
City of Round Rock	-	\$6,000,000
TxDOT	-	\$3,500,000

RESOLUTION NO. _____

WHEREAS, Chapter 791 of the Texas Government Code, V.T.C.A., authorizes local governments and agencies of the state to enter into agreements with one another to perform governmental functions and services, and

WHEREAS, the City of Round Rock has previously entered into an Advance Funding Agreement for Voluntary Local Government

Contributions to Transportation Improvement Projects with No Required Match ("Agreement") with the State of Texas, acting through the Texas Department of Transportation regarding IH-35 frontage roads and Chandler Road turnaround structures, and

WHEREAS, the City now wishes to amend said Agreement to include additional work, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City said amended Agreement, a copy of same being attached hereto as Exhibit ("A") and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February 2005.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Knight seconded the motion.

VOTE:

Ayes: Councilmember Clifford

Councilmember Knight

Councilmember Rhode

Councilmember Coe

Mayor Maxwell

Nays: None

Absent: Councilmember Nielson

Mayor Pro-tem McGraw was out of the room when the vote was taken.

ACTION: The motion carried unanimously.

9.C.1. Consider a resolution authorizing the Mayor to execute a contract with Manley Contracting for park improvements at High Country Park. James Hemenes, Parks and Recreation, made the staff presentation. The High Country Park Project is a limited park

development that will include a playground, walking trail, basketball court and various site amenities. This portion of the project is to fund the beginning construction of the playground, a basketball court, and other small amenities in the Park. Numerous meetings have been held with the Flower Hill I and II HOA's over the past year. Many comments were received on the project and adaptations were made to the design to satisfy the concerns and issues of the neighborhood. The total cost of the contract is \$148,000.00, and the cost of this portion of the project is \$50,126.60.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has duly advertised for bids for park improvements at High Country Park, and

WHEREAS, Manley Contracting has submitted the lowest responsible bid, and

WHEREAS, the City Council wishes to accept the bid of Manley Contracting, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a contract with Manley Contracting for park improvements at High Country Park.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February 2005.

MOTION: Councilmember Clifford moved to approve the resolution. Councilmember Knight seconded the motion.

VOTE: Ayes: Mayor Pro-tem McGraw
Councilmember Clifford
Councilmember Knight
Councilmember Rhode
Councilmember Coe
Mayor Maxwell
Nays: None
Absent: Councilmember Nielson
ACTION: The motion carried unanimously.

*9.C.2. Consider a resolution authorizing the Mayor to execute an Agreement for the Temporary Closure of State Right-of-Way, U.S. 79, with the Texas Department of Transportation for the annual Texas Road Rash Inline Skating Marathon. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the State of Texas, through the Texas Department of Transportation ("TxDOT") owns and operates a system of highways for public use, including US 79 in Round Rock, and

WHEREAS, the City of Round Rock Parks and Recreation Department has made a request to TxDOT that the northernmost lane of US 79 from County Road 122 to Harrell Parkway be closed on March 20, 2005 from 7:15 o'clock a.m. to 11:30 o'clock a.m. for the Texas Road Rash Inline Skating Marathon ("Event"), and

WHEREAS, the City Council has determined that the Event will serve a legitimate public purpose, and

WHEREAS, City Council wishes to enter into an Agreement for the Temporary Closure of State Right-of-Way with TxDOT authorizing the closure of US 79 as set forth above, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Texas Road Rash Inline Skating Marathon will serve a legitimate public purpose, and

BE IT FURTHER RESOLVED

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement for the Temporary Closure of State Right-of-Way with the Texas Department of Transportation, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this

Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February 2005.

9.D.1. Consider a resolution calling the May 7, 2005 Election.

This resolution calls the May 7, 2005 joint City of Round Rock and Round Rock Independent School District Election. This election is to elect a Mayor, Councilmember, Place 1 and Councilmember, Place 4. Early voting locations will be at the Robert G. & Helen Griffith Public Library, RRISD Administration Building, United Heritage Conference Center, Clay Madsen Recreation Center, Noel Grisham Middle School and Brushy Creek MUD Office.

Early Voting dates and times:

April 20 & 22, 2005	(Wednesday & Friday)	8:00 a.m.
- 5:00 p.m.		
April 23, 2005	(Saturday)	8:00 a.m. -
12:00 noon		
April 25 – April 29, 2005	(Weekdays)	
8:00 a.m. – 5:00 p.m.		
April 30, 2005	(Saturday)	10:00 a.m.
- 6:00 p.m.		
May 2 – May 3, 2005	(Weekdays)	
7:00 a.m. - 7:00 p.m.		

Brushy Creek MUD Office – Part-time

Friday, April 29, 2005	8:00 a.m. – 5:00 p.m.
Saturday, April 30, 2005	10:00 a.m. - 6:00 p.m.
Monday, May 2, 2005	7:00 a.m. - 7:00 p.m.
Tuesday, May 3, 2005	7:00 a.m. - 7:00 p.m.

The polls will be open on Election Day from 7:00 a.m. to 7:00 p.m.
Polling places will be at

Caldwell Heights Elementary, Stony Point High School, Forest Creek Elementary, Gattis Elementary, First Baptist Church, Round Rock High School, Bluebonnet Elementary, Old Town Elementary and Wells Branch Elementary.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ROUND ROCK, TEXAS, CALLING AN ELECTION ON MAY 7, 2005 FOR THE PURPOSE OF ELECTING CERTAIN CITY OFFICIALS; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR EARLY VOTING; PROVIDING FOR PERFORMANCE OF REQUIRED ADMINISTRATIVE DUTIES; AND PROVIDING FOR OTHER MATTERS RELATING TO SUCH CITY ELECTION.

WHEREAS, the City Council of the City of Round Rock, Texas, wishes to order a city election on May 7, 2005 for the purpose of electing a Mayor, Councilmember Place 1, and Councilmember Place 4; and

WHEREAS, the City Council has determined that May 7, 2005 is the appropriate date for holding such election; and

WHEREAS, the City Council wishes to encourage all registered voters in the City of Round Rock to vote in City elections; and

WHEREAS, it has been determined that Caldwell Heights Elementary School, Stony Point High School, Forest Creek Elementary School, Gattis Elementary School, First Baptist Church, Round Rock High School, Bluebonnet Elementary School, Old Town Elementary School, and Wells Branch Elementary School would be easily accessible to voters in the City of Round Rock on election day as election day polling places; and

WHEREAS, it has been further determined that early voting polling places will be at Robert G. & Helen Griffith Public Library, Round Rock Independent School District Administration Building, Noel Grisham Middle School, Clay Madsen Recreation Center, United Heritage Conference Center, and Brushy Creek Municipal Utility District Office; Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS, THAT:

I.

1. An election shall be held on Saturday, May 7, 2005 in accordance with the attached Order of Election, which Order of Election is labeled as Exhibit "A" and incorporated herein by reference for all purposes. The City of Round Rock hereby designates the election precincts and polling places designated by John Willingham, Williamson County Elections Administrator, and approved by the Williamson County Commissioners Court, for such election. Further, the City of Round Rock hereby designates the early voting polling places and the temporary polling places and part-time polling places

designated by John Willingham, Williamson County Elections Administrator, and approved by the Williamson County Commissioners Court, for such election.

2. Caldwell Heights Elementary School, Stony Point High School, Forest Creek Elementary School, Gattis Elementary School, First Baptist Church, Round Rock High School, Bluebonnet Elementary School, Old Town Elementary School, and Wells Branch Elementary School are hereby designated as the official election day polling places; and Robert G. & Helen Griffith Public Library, Round Rock Independent School District Administration Building, Noel Grisham Middle School, Clay Madsen Recreation Center, United Heritage Conference Center, and Brushy Creek Municipal Utility District Office are hereby designated as the official early voting polling places for the May 7, 2005 City Council election; that the main early voting polling place is hereby designated to be the Robert G. & Helen Griffith Public Library, 216 East Main Street, Round Rock, Texas; and that the polling places and voting hours are as detailed in the attached Order of Election.

3. For such election, the City of Round Rock hereby appoints the election judge(s) and alternate election judge(s) appointed by Williamson, County, Texas and designated by John Willingham, Williamson County Elections Administrator.

4. Early voting shall be conducted by personal appearance and by mail at the following places: Robert G. & Helen Griffith Public Library, 216 East Main Street, Round Rock, Texas; Round Rock Independent School District Administration Building, 1311 Round Rock Avenue, Round Rock, Texas; Noel Grisham Middle School, 10805 School House Lane, Austin, Texas; Clay Madsen Recreation Center, 1600 Gattis School Road, Round Rock, Texas; and United Heritage Conference Center, 3400 East Palm Valley Boulevard, Round Rock, Texas; and/or at such other places as shall be designated in writing by John Willingham, Williamson County Elections Administrator, and approved by the Williamson County Commissioners Court.

During the period in which early voting is required or permitted by law, that being April 20, 2005 through May 3, 2005 exclusive of Sundays, the hours being designated for early voting by personal appearance shall be as follows:

Robert G. & Helen Griffith Public Library
Round Rock Independent School District Administration Building
Noel Grisham Middle School
Clay Madsen Recreation Center
United Heritage Conference Center

April 20 – April 22, 2005 (Weekdays) 8:00 a.m.

- 5:00 p.m.

April 23, 2005	(Saturday)	8:00 a.m. -
12:00 noon		
April 25 – April 29, 2005	(Weekdays)	8:00 a.m. -
5:00 p.m.		
April 30, 2005	(Saturday)	10:00 a.m. - 6:00
p.m.		
May 2 – May 3, 2005	(Weekdays)	7:00 a.m. - 7:00
p.m.		

Further, early voting shall be conducted by personal appearance on a part-time basis at the Brushy Creek Municipal Utility District Office, 16318 Great Oaks Drive, Round Rock, Texas, and/or at such other places as shall be designated in writing by John Willingham, Williamson County Elections Administrator, and approved by the Williamson County Commissioners Court. During the period in which early voting is required or permitted by law, that being April 20, 2005 through May 3, 2005 exclusive of Sundays, voting will be conducted at this voting location on April 29, 2005, April 30, 2005, May 2, 2005, and May 3, 2005 as follows:

Brushy Creek Municipal Utility District Office		
April 29, 2005	(Friday)	8:00 a.m. -
5:00 p.m.		
April 30, 2005	(Saturday)	10:00 a.m. -
6:00 p.m.		
May 2, 2005	(Monday)	7:00 a.m. -
7:00 p.m.		
May 3, 2005	(Tuesday)	7:00 a.m. -
7:00 p.m.		

Early voting clerks shall keep the early voting places open during all such hours for early voting by personal appearance. The Early Voting Clerk and manager of the central counting station shall be John Willingham, Williamson County Elections Administrator, and he shall appoint additional clerks as necessary to assist in early voting. The Early Voting Clerk's official address is Williamson County Elections Administrator, Post Office Box 209, Georgetown, Texas, 78627-0209, and the telephone number is (512) 943-1630.

5. Pursuant to the Election Code and the applicable Election Services Contract, John Willingham shall be appointed as Custodian of Election Records.

6. All resident, qualified electors of the City of Round Rock, Texas shall be entitled to vote at the election.

7. Notice of this election shall be given in accordance with V.T.C.A., Election Code §4.003(a)(1) by publishing notice once in a newspaper published in the city or of general circulation in the city.

The date of such publication shall be not earlier than the thirtieth (30th) day nor later than the tenth (10th) day before election day.

The City Secretary is hereby authorized and directed to publish the required notice in the manner and for the time periods required by law.

8. Notice of this election shall also be given in accordance with V.T.C.A., Election Code §4.003(b) by posting a copy of the notice on the bulletin board used for posting notices of City Council meetings, and it shall be posted no later than the twenty-first (21st) day before the date of the election and shall remain posted through election day.

The City Secretary is hereby authorized and directed to post the required notice in the manner and for the time periods required by law.

9. In all pertinent respects, the election shall be conducted in accordance with applicable provisions of the Texas Election Code.

II.

A. All ordinances, resolutions, and parts of ordinances or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this resolution shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February, 2005.

MOTION: Mayor Pro-tem McGraw moved to approve the resolution. Councilmember Coe seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Knight
		Councilmember Rhode
		Councilmember Coe
		Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Nielson

ACTION: The motion carried unanimously.

*9.D.2. Consider a resolution authorizing the Mayor to execute an Election

Services Contract with the Williamson County Elections Administrator and the Round

Rock Independent School District to conduct the May 7, 2005 Election. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock wishes to enter into a contract with the Williamson County Elections Administrator to conduct the May 7, 2005 election, and

WHEREAS, the Williamson County Elections Administrator has submitted a proposed Election Services Contract ("Contract"), and

WHEREAS, the City Council desires to enter into said Contract, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Election Services Contract with the Williamson County Elections Administrator to conduct the May 7, 2005 election, a copy of said Contract being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February, 2005.

*9.E.1. Consider a resolution authorizing the closing of Harrell Parkway,

Aten Loop and a portion of CR 113 on March 12, 2005 for the annual Three-Legged

Willie 13-K Run. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the Parks and Recreation Department has requested that the following streets be closed on March 12, 2005 for the annual Three-Legged Willie 13 KM Distance Classic: Harrell Parkway from Highway 79 (Palm Valley Boulevard) to CR 113 from 7:45 a.m. to 10:30 a.m.; and Aten Loop from 7:45 a.m. to 8:45 a.m., and

WHEREAS, the City Council wishes to grant said request, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That Harrell Parkway and Aten Loop be closed as set forth above.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February, 2005.

*9.E.2. Consider a resolution authorizing the closing of a portion of Bagdad Avenue on March 19, 2005 for the annual Daffodil Festival. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the Round Rock Senior Citizens Foundation has requested that the western half of the 200 block of East Bagdad Avenue be closed from 6:00 o'clock a.m. until 7:00 o'clock p.m. on March 19, 2005 for the annual Daffodil Festival, and

WHEREAS, the City Council wishes to grant such request, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That East Bagdad Avenue be closed as set forth above.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February, 2005.

*9.E.3. Consider a resolution authorizing the closing of a portion of Main Street, Lampasas Street, and Sheppard Street from May 28, 2005 through May 30, 2005 for the annual El Amistad Club Fiesta. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the El Amistad Club has requested that East Main Street from Mays Street to Burnet Street, Lampasas Street from Bagdad Avenue to Liberty Avenue, and Sheppard Street from Bagdad Avenue to Liberty Avenue be closed from 2:00 o'clock p.m. on May 28, 2005 until 2:00 o'clock a.m. on May 30, 2005, for the organization's annual event known as El Amistad Fiesta, and

WHEREAS, the City Council wishes to grant such request, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That East Main Street, Lampasas Street, and Sheppard Street be closed as set forth above.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February, 2005.

*9.E.4. Consider a resolution authorizing the closing of portions of Harrell Parkway, Aten Loop, T.C. Oates Lane on March 20, 2005 for the annual Texas Road Rash Inline Skating Marathon. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the Parks and Recreation Department has requested that the following streets be closed on March 20, 2005 from 7:15 o'clock a.m. to 11:30 o'clock a.m. for the Texas Road Rash Inline Skating Marathon: Harrell Parkway from Palm Valley Boulevard to Aten Loop; Aten Loop from Harrell Parkway to T.C. Oates Lane; and all of T.C. Oates Lane, and

WHEREAS, the City Council wishes to grant said request, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the streets be closed as set forth above.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February, 2005.

*9.E.5. Consider a resolution authorizing the closing of a portion of Main Street on February 26, 2005 for the annual Opening Day Parade for the Sam Bass of Round Rock Youth Baseball League. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the Sam Bass of Round Rock Youth Baseball League, Inc. has requested that a portion of East Main Street, from Mays Street to 901 E. Main Street at the Sam Bass Baseball Fields, be closed for its annual Opening Day Parade on February 26, 2005, from 7:00 o'clock a.m. to 7:20 o'clock a.m., and

WHEREAS, the City Council wishes to grant said request, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That Main Street be closed as set forth above.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February, 2005.

9.E.6. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement for In-School Officers with the Round Rock Independent School District.

Bryan Williams, Chief of Police made the staff presentation. This will resolution will allow the City to continue providing its citizens with safe and healthy school environments. Cost to be determined by the number of officers assigned to schools.

This item was tabled by the in January 2005 to receive clarification of the payment schedule. In consultation with school district staff, city staff reviewed the payment structure and revised the payment schedule to incorporate semester-end billing.

RESOLUTION NO. _____

WHEREAS, Chapter 791 of the Texas Government Code, V.T.C.A., authorizes local governments and agencies of the state to enter into agreements with one another to perform governmental functions and services, and

WHEREAS, the City of Round Rock wishes to enter into an Interlocal Agreement for In School Officers with the Round Rock Independent School District to provide for the reimbursement of salary and benefits expenses for In School Officers, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Interlocal Agreement for In School Officers with the Round Rock Independent School District, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February 2005.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Clifford seconded the motion.

VOTE: Ayes: Mayor Pro-tem McGraw
 Councilmember Clifford
 Councilmember Knight
 Councilmember Rhode
 Councilmember Coe
 Mayor Maxwell

Nays: None

Absent: Councilmember Nielson

ACTION: The motion carried unanimously.

9.E.7. Consider a resolution authorizing the Mayor to execute an agreement with the Williamson County Humane Society, Inc. for pet licensing, fee collection, boarding, rabies observation, and the reclamation of impounded animals. Lt. Bob Drawbaugh made the staff presentation. This agreement will allow the citizens of the City to continue receiving services for pet licensing, fee collections, boarding, rabies observation, and the reclamation of animals that have been impounded within the city limits. The cost is \$100,000. In addition to the direct funding, this agreement provides for \$50,000 in city-provided, in-kind services.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock desires to retain services for pet licensing, fee collection, boarding, rabies observation, and the reclamation of impounded animals, and

WHEREAS, the Williamson County Humane Society, Inc. has submitted an agreement to provide said services, and

WHEREAS, the City Council desires to enter into said agreement with the Williamson County Humane Society, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement Between the Williamson County Humane Society, Inc. and City of Round Rock, Texas, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of February, 2005.

MOTION: Councilmember Clifford moved to approve the resolution. Councilmember Knight seconded the motion.

VOTE:

Ayes: Mayor Pro-tem McGraw
Councilmember Clifford

Councilmember Knight
Councilmember Rhode
Councilmember Coe
Mayor Maxwell

Nays: None

Absent: Councilmember Nielson

ACTION: The motion carried unanimously.

COUNCIL COMMENTS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:13
p.m.

Respectfully Submitted,

Christine R. Martinez, City

Secretary